

In the claims:

1. (currently amended) An automated auction and tender system for utilizing at least one tender created by a tender initiator, comprising:

a storage device storing data which relates to the at least one tender; and

a processing device transmitting information corresponding to the stored data, wherein the at least one tender is provided for a complex multi-variable commodity, the processing device further enabling a tender recipient to request an exception to create or modify a term of the at least one tender,

wherein the term of the at least one tender that is created or modified by the exception request relates to a physical characteristic of the ~~particular~~ complex multi-variable commodity.

2.– 3. (Canceled)

4. (Original) The system according to claim 1, wherein the processing device executes a program on a remote device.

5. (Original) The system according to claim 1, wherein the storage device includes a database storing data which is related to the at least one tender.

6. (Original) The system according to claim 5, wherein the database is a relational database.

7. (Canceled)

8. (Currently Amended) The system according to claim 1, wherein the processing device:

receives the stored data,
analyzes the stored data, and
transmits the information to a further processing device,
wherein the information is transmitted in response to the received data.

9. (Original) The system according to claim 1, wherein the processing device at least one of transmits and receives the information electronically via the Internet.

10. (Original) The system according to claim 1, wherein the processing device at least one of transmits and receives information electronically via a network of further processing devices.

11. (Currently Amended) A method for utilizing at least one tender created by a tender initiator, comprising the steps of:

receiving data for the at least one tender via a network of processing devices, the at least one tender being provided for a complex multi-variable commodity;

transmitting information corresponding to the received data to a device; and

accepting input from a tender recipient for generating an exception to create or modify a term of the at least one tender,

wherein the term of the at least one tender that is created or modified by the exception relates to a physical characteristic of the ~~particular~~ complex multi-variable commodity.

12.- 14. (Canceled)

15. (Currently Amended) ~~The method according to claim 11, wherein the data is at least one of received and transmitted electronically via the Internet.~~ A method for utilizing at least one tender created by a tender initiator, comprising the steps of:

receiving and transmitting data for the at least one tender via the Internet, the at least one tender being provided for a complex multi-variable commodity;

transmitting information corresponding to the received data to a device; and

accepting input from a tender recipient for generating an exception to create or modify a term of the at least one tender,

wherein the term of the at least one tender that is created or modified by the exception relates to a physical characteristic of the complex multi-variable commodity.

16. (canceled)

17. (Currently Amended) A system for utilizing at least one tender created by a tender initiator, comprising:

a storage device storing data which relates to the at least one tender; and

a processing device transmitting and receiving information corresponding to the stored data, wherein the processing device at least one of transmits and receives the information corresponding to the stored data electronically via the Internet, and enabling a tender recipient to request an exception to create or modify a term of the at least one tender,

wherein the term of the at least one tender that is created or modified by the exception request relates to a physical characteristic of a ~~particular~~ complex multi-variable commodity.

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18. (Canceled)
19. (Original) The system according to claim 17, wherein the processing device executes a program on a remote device.
20. (Original) The system according to claim 17, wherein the storage device includes a database storing data which is related to the at least one tender.
21. (Original) The system according to claim 20, wherein the database is a relational database.
22. (Currently Amended) The system according to claim 17, wherein the processing device:
receives the stored data,
analyzes the stored data, and
transmits the information to a further processing device, wherein the information is transmitted in response to the received data.
23. (Canceled)
24. (Original) The system according to claim 17, wherein the processing device at least one of transmits and receives information electronically via a network of further processing devices.
25. (Canceled)

26. (Currently Amended) A method for utilizing at least one tender created by a tender initiator, comprising the steps of:

receiving data via a network of processing devices for the at least one tender; ~~and~~
transmitting information corresponding to the received data; and
accepting from a tender recipient a request for an exception to create or modify a term of
the at least one tender,

wherein the term of the at least one tender that is created or modified by the exception
request relates to a physical characteristic of a ~~particular~~ complex multi-variable commodity.

27. (Canceled)

28. (Original) The method according to claim 26, wherein the data is at least one of received
and transmitted electronically via the Internet.

29. (Canceled)

30.- 34. (Canceled)

35. (Currently Amended) A set of instructions residing in a storage medium, the set of
instructions capable of being executed by a processor to implement a method for utilizing at least
one tender created by a tender initiator, the method comprising the steps of

receiving data for the at least one tender, the at least one tender being provided for a
complex multi-variable commodity;

transmitting information corresponding to the received data to a device; and

accepting from a tender recipient a request for an exception to create or modify a term of the at least one tender, wherein the complex multi-variable commodity is a particular commodity, and wherein the term of the at least one tender that is created or modified by the exception request relates to a physical characteristic of the particular commodity.

36. (Previously Presented) The system according to claim 1, further configured to enable the tender initiator to reject the exception.

37. (Previously Presented) The method according to claim 11, further comprising: enabling the tender initiator to reject the exception.

38. (Previously Presented) The system according to claim 17, further configured to enable the tender initiator to reject the exception.

39. (Previously Presented) The method according to claim 26, further comprising: enabling the tender initiator to reject the exception.

40. (Previously Presented) The set of instructions according to claim 35, further comprising: instructions to enable the tender initiator to reject the exception.